IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

FRIDAY, THE 14TH SEPTEMBER 2007 / 23RD BHADRA 1929

RP.No. 710 of 2007()

AGAINST THE JUDGEMENT/ORDER IN FAO.153/2007 Dated 20/06/2007
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: REVIEW PETITIONER/1ST RESPONDENT

KUNHAMI, W/O.ABU, AGED 78 YEARS,
KUNHIPARAL HOUSE, ZEENATH MANZIL, P.O.KURICHIYIL,
KODIYERI AMSOM DESOM, THALASSERY TALUK,
KANNUR DISTRICT.

BY ADV. SRI.P.NARAYANAN

RESPONDENTS: APPELLANTS AND RESPONDENTS 2 TO 6
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1. NOORUNISA.T.P., W/O KUNHIPARAL,
BASHEER, AGED 38 YEARS, NASEEB, CHALAKKARA,
POST PALOOR, PONDICHERRY STATE.

2. NOUSHIBA, KUNHIPARAL BASHEER,
AGED 21 YEARS, NASEEB, CHALAKKARA,
POST PALOOR, PONDICHERRY STATE.

3. NAMSHEED (MINOR), S/O.BASHEER,
AGED 18 YEARS, NASEEB, CHALAKKARA, POST PALLOOR,
PONDICHERRY STATE.

4. RASHIDH (MINOR), S/O.BASHEER,
AGED 17 YEARS, NASEEB, CHALAKKARA, POST PALLOOR,
PONDICHERRY STATE.

5. FARIS (MINOR), S/O BASHEER,
AGED 8 YEARS, NASEEB, CHALAKKARA, POST PALLOOR,
PONDICHERRY STATE.

6. FEBINA (MINOR) D/O.BASHEER,
AGED 8 YEARS, NASEEB, CHALAKKARA, POST PALLOOR,
PONDICHERRY STATE.

7. NASEEF (MINOR), S/O BASHEER,
AGED 3 YEARS, NASEEB, CHALAKKARA, POST PALOOR,
PONDICHERY STATE.

8. BRANCH MANAGER, CANARA BANK,
PALOOR.

9. BRANCH MANAGER, CANARA BANK,
THALASSERY.

10. BRANCH MANAGER,
STATE BANK OF INDIA, MAIN BRANCH, THALASSERY.

11. BRANCH MANAGER, PUNNOL SERVICE CO-OP
BANK, NEW MAHE.

12. BRANCH MANAGER, LIC, NEAR FLYOVER,
THALASSERY.
(RESPONDENTS 3 TO 7 ARE MINORS REP.BY THEIR
GUARDIAN AND NEXT FRIEND 1ST RESPONDENT
NOORUNISA T.P., W/O.KUNHIPARAL BASHEER,AGED 38,
NASEEB,CHALAKKARA, POST PALLOOR,PONDICHERRY STATE)

BY ADV. SRI.P.M.PAREETH
SRI.R.S.KALKURA
SRI.M.S.KALESH
SRI.HARISH GOPINATH
SRI.V.VINAY MENON
SRI.G.HARIKRISHNAN (TRIPUNITHURA)
SRI.M.AJAY (IRUMPANAM)
SRI.V.B.HARI NARAYANAN

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD
ON 14/09/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

KURIAN JOSEPH & T.R.RAMACHANDRAN NAIR, JJ.

R.P. NO.710 OF 2007
in
F.A.O.153 OF 2007

Dated 14th September, 2007.

O R D E R

Kurian Joseph, J.

Heard Sri.Narayanan, learned counsel appearing for the review petitioner and Sri.P.M.Pareeth for respondents. Though Sri.Narayanan vehemently contended on the merits of the case, we are afraid, this Court at this stage need not advert to those contentions. But the review petitioner essentially submits that she may be appointed as the party receiver upon any condition, even with regard to deposit at the rate of Rs.20,000/- per month. These are all matters for the review petitioner to bring to the notice of the court below. In case the interests of the estate is not served properly at the hands of the receiver appointed by us, we make it clear that it will be open to the trial court to pass appropriate orders, even by changing the receiver.

The Review Petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

T.R.RAMACHANDRAN NAIR, JUDGE.

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KURIAN JOSEPH &

HARUN-UL-RASHID, JJ

R.P. NO.710 OF 2007
in
F.A.O.153 OF 2007

J U D G M E N T

Dated 14th September, 2007.